



General Assembly

Raised Bill No. 290

February Session, 2006

* _____SB00290ENVPD_030906_____*

AN ACT CONCERNING ENVIRONMENTAL JUSTICE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2006*) (a) As used in this
2 section:

3 (1) "Environmental justice" means the equal protection and
4 meaningful involvement of all people in the development,
5 implementation and enforcement of environmental laws, regulations
6 and policies;

7 (2) "Meaningful involvement" means a process in which (A) the
8 potentially affected group of people are provided an appropriate
9 opportunity to participate in decisions about a proposed activity that
10 will affect their environment and health, (B) participation by the public
11 can influence a regulatory agency's decisions, (C) concerns of all
12 participants will be considered in the decision-making process, and (D)
13 the decision makers seek out and facilitate the involvement of those
14 potentially affected;

15 (3) "Overburdened community" means a census tract (A) not less
16 than twenty per cent of the population consists of noninstitutionalized
17 low-income persons or for which not less than fifty per cent of the
18 population consists of noninstitutionalized minority persons, and (B)
19 having more than three affecting facilities located within a five mile

20 radius; and

21 (4) "Affecting facilities" means electric generating facilities, waste
22 incinerators or combustors, sewage treatment plants, waste storage,
23 transfer or disposal facilities, landfills, facilities that produce
24 hazardous substances, major sources of air pollution, as defined by the
25 federal Clean Air Act, sources with air emissions that exceed the
26 federal Toxic Release Inventory reporting threshold pursuant to the
27 federal Emergency Planning, Community Right-to-Know, and
28 Pollution Prevention Act, and limited access highways.

29 (b) (1) The Department of Environmental Protection shall identify
30 and compile a list of overburdened communities. The department shall
31 ensure that there is meaningful involvement in compiling such list.
32 Not later than March 1, 2007, and annually thereafter, said department
33 shall report, in accordance with section 11-4a of the general statutes, to
34 the joint standing committees of the General Assembly having
35 cognizance of matters relating to public health and the environment,
36 regarding the overburdened communities on the list and the process
37 by which the list was compiled.

38 (2) Not later than June 1, 2007, and annually thereafter, the
39 Department of Environmental Protection shall notify the chief elected
40 official, the health department and the zoning board of each town, city
41 or borough found by the department to contain an overburdened
42 community regarding the town, city or borough's inclusion on the list
43 of overburdened communities.

44 (c) (1) Not later than January 1, 2007, the Department of
45 Environmental Protection, the Department of Public Utility Control
46 and the Connecticut Siting Council shall each adopt regulations, in
47 accordance with the provisions of chapter 54 of the general statutes,
48 that describe the departments' or council's procedures concerning the
49 consideration of environmental justice in granting licenses, permits or
50 authorizations, taking action that could have human health or
51 environmental effects, or in other decision-making processes that relate

52 to affecting facilities.

53 (2) Not later than January 1, 2007, the Department of Environmental
54 Protection, the Department of Public Utility Control and the
55 Connecticut Siting Council shall each adopt regulations, in accordance
56 with the provisions of chapter 54 of the general statutes, describing
57 actions each department or council shall take to reduce the incidence of
58 pollution in overburdened communities.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	New section

ENV

Joint Favorable C/R

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